





ZONING CODE SUMMARY:

PARCEL IDS:

02933113 02933115 02933116

OWNER: OEHLER FAMILY FARMS, LLC 3491 JOHNSTON OEHLER RD CHARLOTTE, NC 28269

(02933106) JOE C. OEHLER AND ROSE MARIE H. 3481 JOHNSTON OEHLER RD

CHARLOTTE, NC 28269 (PARCEL # 02933113) RAY G. OEHLER 3491 JOHNSTON OEHLER RD CHARLOTTE, NC 28269 (PARCEL # 02933115)

SCOTT L. DIXON AND DORIS O. DIXON G OEHLER 3473 JOHNSTON OEHLER RD

CHARLOTTE, NC 28269 (PARCEL # 02933116)

PARCEL ADDRESS: 3487 JOHNSTON OEHLER RD CHARLOTTE, NC 28269

R-3 EXISTING ZONING: PROPOSED ZONING: MX-2

WATERSHED: MALLARD WATERSHED

ALLOWABLE DENSITY 8.0 UNITS/ ACRE PROPOSED DENSITY: 288 LOTS / 72.20 AC = 3.99 UNITS / ACRE

TOWNHOME STANDARDS: FRONT (BASED ON R-22 MF) SIDE YARD

*FRONT SETBACK MAY BE REDUCED TO 15' PER SECTION 9.303(19)(F) OF ZONING ORDINANCE PROVIDED THE BUILDING ELEVATION FACING THE

STREET HAS A FRONT ARCHITECTURAL FACADE WITH AN ENTRY DOORWAY. *ALL GARAGES SHALL HAVE A 20' SEPARATION FROM RIGHT-OF-WAY OR BACK OF CURB (WHICHEVER IS GREATER).

REQUIRED BUFFER: 50' TYPE C BUFFER

50' TYPE C BUFFER, 37.5' TYPE C BUFFER IN SELECT AREAS (50' TYPE C PROVIDED BUFFER: BUFFER REDUCED 25% WITH CONSTRUCTION OF BERM, WALL, OR FENCE)

REQUIRED OPEN SPACE: 7.22± ACRES (10% OF 72.20 ACRES) 13.17± ACRES (18% OF 72.20 ACRES) PROVIDED OPEN SPACE: REQUIRED TREE SAVE: 10.83± ACRES (15% OF 72.20 ACRES) PROVIDED TREE SAVE: 13.17± ACRES (18% OF 72.20 ACRES)

1. **GENERAL PROVISIONS**:

- a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MCRT SFR INVESTMENTS, LLC, (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THE APPROXIMATELY 72.20 ACRE SITE LOCATED ON JOHNSTON OEHLER ROAD (THE "SITE").
- b. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MX-2 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE PROVISIONS PROVIDED BELOW.
- c. DEVELOPMENT AREAS. FOR EASE OF REFERENCE AND AS AN ORGANIZING PRINCIPAL ASSOCIATED WITH THE MASTER PLANNED COMMUNITY, THE REZONING PLAN SETS FORTH ONE GENERAL DEVELOPMENT AREAS (AND OTHER SUB-AREAS WITHIN THE DEVELOPMENT AREAS) AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS DEVELOPMENT AREAS, ("DEVELOPMENT AREA"). THE EXACT BOUNDARIES OF THE DEVELOPMENT AREA MAY BE SUBJECT TO MODIFICATIONS TO ACCOUNT FOR DEVELOPMENT/SITE ELEMENTS (AS DEFINED BELOW) AND OTHER MODIFICATIONS NEEDED TO FULFILL THE DESIGN AND DEVELOPMENT INTENT OF THE REZONING PLAN.
- d. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, DEVELOPMENT AREA, OPEN SPACE AREAS AND OTHER DEVELOPMENT MATTERS AND SITE FLEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE FLEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES, AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:
- i. EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEFMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS); OR
- THE REZONING PLAN. THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE

MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON

ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

PERMITTED USES AND DEVELOPMENT AREA LIMITATIONS:

a. THE SITE MAY BE DEVELOPED WITH UP TO TWO HUNDRED EIGHTY-EIGHT (288) SINGLE-FAMILY ATTACHED DWELLING UNITS AS ALLOWED BY MX-2 ZONING DISTRICT. THE UNITS MAY BE FOR RENT OR FOR SALE.

3. TRANSPORTATION IMPROVEMENTS:

- CDOT AND NCDOT STANDARDS. ALL THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF THE CITY OF CHARLOTTE OR NCDOT (AS IT RELATES TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY).
- RIGHT-OF-WAY CONVEYANCE. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE ONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY WHERE ROW DEDICATION IS NOT PROVIDED. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.
- c. TRANSPORTATION IMPROVEMENTS. THE PETITIONER WILL CONSTRUCT REQUIRED ROADWAY IMPROVEMENTS SET FORTH BELOW AND/OR GENERALLY DEPICTED ON THE REZONING PLAN AND PROVIDE ANY REQUIRED SIDEWALK AND UTILITY EASEMENTS NEEDED FOR THESE IMPROVEMENTS PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY WITHIN EACH DEVELOPMENT AREA WHERE THE IMPROVEMENTS ARE PROVIDED, SUBJECT TO THE PETITIONER'S ABILITY TO REQUEST THAT CDOT OR NCDOT ALLOW A BOND TO BE POSTED FOR ANY ROADWAY IMPROVEMENTS NOT FINALIZED AT THE TIME OF THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY, AS ALLOWED BY CITY REGULATIONS.
- i. THE JOHNSTON OEHLER PRIVATE DRIVE SHALL BE IMPROVED TO PUBLIC STREET STANDARDS AS GENERALLY DEPICTED AND DEDICATED AND CONVEYED TO THE CITY OF CHARLOTTE.
- ALTERNATIVE IMPROVEMENTS. CHANGES TO THE ABOVE REFERENCED ROADWAY MPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT AND THE PLANNING DIRECTOR: PROVIDED HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION IN THE OVERALL AREA OF THE REZONING.

FOR EXAMPLE, TRANSPORTATION IMPROVEMENTS MAY BE SUBSTITUTED AND/OR PAYMENT IN LIEU FOR OTHER IMPROVEMENTS IN THE OVERALL AREA OF THE REZONING MAY BE IMPLEMENTED AS DESCRIBED IN SUBSECTION (F) ABOVE.

4. ACCESS AND PEDESTRIAN CIRCULATION.

- a. ACCESS TO THE SITE WILL BE FROM JOHNSTON OEHLER DRIVE AND FROM THE PROPOSED PUBLIC STREETS AS GENERALLY DEPICTED ON CONCEPTUAL SITE PLAN.
- b. SECONDARY POINT OF ACCESS WILL BE PROVIDED WITH ONE (1) OF THE TWO (2) POTENTIAL ACCESS LOCATIONS SHOWN ON THE CONCEPTUAL SITE PLAN. FINAL LOCATION TO BE DETERMINED UPON RECEIPT OF ACOE VERIFIED WELTAND AND STREAM LOCATIONS, FINAL ENGINEERING, AND DISCUSSIONS WITH NEIGHBORING PARCELS. STAFF APPROVAL TO BE REQUIRED.
- THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS. PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, EIFS, STUCCO, DECORATIVE BLOCK AND/OR WOOD. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND HANDRAILS/RAILINGS. THE PROPOSED ROOFING MATERIALS WILL BE ARCHITECTURAL SHINGLES, WOOD SHAKE, SLATE, TILE AND/OR METAL.
- b. THE PETITIONER AGREES TO RESTRICT CLADDING MATERIALS FOR ALL BUILDINGS TO CLADDING PRODUCTS OTHER THAN VINYL SIDING.
- c. THERE SHALL BE NO EXPOSED CONCRETE FOUNDATIONS; SIDING AND/OR OTHER MATERIALS MUST EXTEND TO THE GROUND LEVEL ON ALL SIDES OF THE HOMES.

STREETSCAPE, LANDSCAPING AND BUFFER:

- a. SETBACK AND YARDS SHALL ADHERE TO THE STANDARDS OF THE R-22-MF ZONING DISTRICT AS FOLLOWS.
- THE SIDE YARD SHALL BE FIVE (5) FEET;
- THE FRONT SETBACK SHALL BE TWENTY-SEVEN (27) FEET AND MAY BE REDUCED TO FIFTEEN (15) FEET PER SECTION 9.303 (19)(F) OF THE ORDINANCE PROVIDED THE BUILDING ELEVATION FACING THE STREET HAS A FRONT ARCHITECTURAL FAÇADE WITH AN ENTRY DOORWAY
- iii. THE REAR YARD SHALL BE FORTY (40) FEET; iv. ALL GARAGES SHALL HAVE A TWENTY (20) FOOT SEPARATION FROM RIGHT OF WAY OR BACK OF CURB (WHICHEVER IS GREATER).
- b. ALONG THE SITE'S INTERNAL PUBLIC STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS ALL OF THE PRINCIPAL BUILDINGS ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC OR PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE A MINIMUM OF FIVE (5) FEET.
- c. A FIFTY (50) FOOT CLASS C BUFFER AREA SHALL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. THE BUFFER MAY BE REDUCED AS PERMITTED BY ORDINANCE.

ENVIRONMENTAL FEATURES

- a. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED FROM AN ENGINEERING PERSPECTIVE WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- b. A MINIMUM OF 15% OF THE SITE WILL BE SET ASIDE AS TREE SAVE AS REQUIRED BY THE MX-2 ZONING DISTRICT. THE TREE SAVE WILL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND THE CITY POST CONSTRUCTION STORMWATER ORDINANCE

REZONING BOUNDARY IN EVENT THE PROJECT IS PHASED OR PERMITTED SEPARATELY.

TREE SAVE AND PCO REQUIRED OPEN SPACE MAY BE COMBINED INTO OVERALL

8. OPEN SPACE:

a. A MINIMUM OF 10% OF THE SITE WILL BE SET ASIDE AS COMMON OPEN SPACE AS REQUIRED BY THE MX-2 ZONING DISTRICT. AREAS OF THE REQUIRED COMMON OPEN SPACE WILL BE IMPROVED WITH ACTIVE OR PASSIVE OPEN SPACE AMENITIES.

a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

10. <u>LIGHTING:</u>

a. ALL NEW LIGHTING SHALL BE DECORATIVE, CAPPED, AND DOWNWARDLY DIRECTED.

11. AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

BINDING EFFECT OF THE REZONING APPLICATION:

a IF THIS REZONING PETITION IS APPROVED ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

PRELIMINARY NOT FOR CONSTRUCTION

3/10/2022 DRAWN BY N. SPINOLA

DESIGNED BY N. SPINOLA CHECKED BY K. BRADLEY

SCALE

AS SHOWN

JOB NO. 50424 SHEET NO.

. CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION. 2. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USIN FLAG MEN, ETC. AS NECESSARY TO INSURE SAFETY TO THE

ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLIN

DEPARTMENT OF TRANSPORTATION AND MECKLENBURG COUN SPECIFICATIONS. SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDAR PART 1926 SUBPART P, OR AS AMENDED.